



DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO

GOVERNOR

MIKE D. McDANIEL, Ph.D.

SECRETARY

FEB 22 2006

CERTIFIED MAIL 7003 2260 0001 2755 8781
RETURN RECEIPT REQUESTED

Mr. Ken Anderson, EH&S Manager
Chemical Waste Management, Inc.
7170 John Brannon Road
Sulphur, Louisiana 70665

Re: Chemical Waste Management, Inc. (CWMI)
LAD 000 777 201/ AI# 742/ PER# 20030006
Issuance of a Site-Specific Variance from the K088 Arsenic Treatment Standard for
"Non-potliner" K088 Wastes under LAC 33:V.2231

Dear Mr. Anderson:

The Water and Waste Permits Division has reviewed your petition for a variance from a treatment standard for selected types of K088 wastes, "non-potliner" K088 wastes, submitted under a cover letter, dated October 29, 2003. It was determined that the October 29, 2003 petition was deficient and a Notice of Deficiency (NOD), dated July 7, 2004 was issued. CWMI submitted responses to the Notice of Deficiency (NOD) under a cover letter dated September 24, 2004. It was determined that the September 24, 2004 submittal was deficient and a Notice of Deficiency (NOD), dated June 9, 2005 was issued. CWMI submitted responses to the Notice of Deficiency (NOD) under a cover letter dated July 12, 2005.

In accordance with LAC 33:V.2231.D, the Water and Waste Permits Division gave public notice of the proposal to grant a site-specific variance. The notice was published in the local newspaper, the Southwest Daily News, Sulphur, Louisiana, in three separate issues Thursday, August 11, 2005, Friday, August 12, 2005 and Saturday, August 13, 2005 and in the official state journal, The Advocate, Thursday, August 11, 2005. The facility mailing list notification was completed on August 8, 2005. The public notice allowed for a thirty (30) day comment period which began Thursday, August 11, 2005 and ended Thursday, September 15, 2005 at 4:30 p.m. The Water and Waste Permits Division did not receive any comments.

Based on the information submitted, the Water and Waste Permits Division hereby issues the attached site-specific variance to Chemical Waste Management, Inc. (CWMI). This site-specific variance is effective as of the date signed and shall remain in effect unless suspended, modified, revoked and reissued, or terminated for just cause.

ENVIRONMENTAL SERVICES

: PO BOX 4313, BATON ROUGE, LA 70821-4313

P:225-219-3181 F:225-219-3309

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Mr. Ken Anderson
CWMI
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A copy of the proposed site-specific variance and related information is available for review at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). An additional copy of the proposed site-specific variance and related information is available for review at the Sulphur Regional Library, 1160 Cypress St., Sulphur, Louisiana 70663.

Please reference your Agency Interest (AI) Number, AI# 742, Facility Identification Number, LAD 000 777 201, and Activity Number, PER# 20030006 on all future correspondence pertaining to this petition for a site-specific variance. If you have any questions regarding this matter, please contact Ms. Karla Vidrine of Water and Waste Permits Division at (225) 219-3061.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chuck Carr Brown'.

Chuck Carr Brown, Ph.D.
Assistant Secretary

kav

Attachment

c: Cathy Carter, EPA, Region VI
Ron Cady - Southwest Regional Office



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SITE-SPECIFIC VARIANCE FROM A TREATMENT STANDARD

ISSUED TO

**CHEMICAL WASTE MANAGEMENT, INC.
LAKE CHARLES FACILITY
LAD 000 777 201/ AI# 742/ PER#20030006
CALCASIEU PARISH, SULPHUR, LOUISIANA**

The following **VARIANCE** is issued to **CHEMICAL WASTE MANAGEMENT, INC. - LAKE CHARLES FACILITY** by the Louisiana Department of Environmental Quality (LDEQ) - Office of Environmental Services (OES) - Water and Waste Permits Division under authority granted by the Louisiana Environmental Quality Act, in particular La. R.S. 30:2014; by the Executive Reorganization Act, in particular La. R.S. 36:234; and by Section 2231 of Title 33, Part V of the Louisiana Administrative Code (LAC 33:V.2231), particularly LAC 33:V.2231.G.

This site-specific variance from a treatment standard replaces the applicable treatment standard with an alternate treatment standard for "non-potliner" K088 wastes, from three specific sites (Onyx Environmental Services, LLC site in Port Arthur, TX, Teris, LLC site in El Dorado, AR and TM Deer Park Services, LLC site in Deer Park, TX). Chemical Waste Management's petition for a site-specific variance has demonstrated that requiring the waste to be treated to the level specified in the treatment standard is inappropriate based on the information contained in the petition and summarized in the Fact Sheet.

This site-specific variance is contingent on Chemical Waste Management, Inc., having the material, "non-potliner" K088 wastes, from the three specific sites (Onyx Environmental Services, LLC, Port Arthur, TX, Teris, LLC, El Dorado, AR and TM Deer Park Services, LLC, Deer Park, TX), treated to the alternate treatment standard proposed and in accordance with all applicable permit requirements in a manner consistent with representations made in Chemical Waste Management's site-specific variance petition of October 29, 2003, September 24, 2004 and July 12, 2005.

This site-specific variance is effective as of the date signed and shall remain in effect unless suspended, modified, revoked and reissued, or terminated for just cause. This action confers no variance outside of Louisiana or other than the three sites specified herein.

This variance does not act retroactively and does not excuse any earlier failure to comply with hazardous waste storage, treatment or disposal or notification requirements.

This variance requires that Chemical Waste Management, Inc. act at all times to minimize the short and long term threats to human health and the environment.

Chuck Carr Brown, Ph.D., Assistant Secretary
Louisiana Department of Environmental Quality
Office of Environmental Services

2/9/06

Date

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